**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 5290 OF 2006.**

Adarsh Nagrik Seva Samitee
and another. ... Petitioners.

V/s.

Ms.Sangeetadevi Singh and
others. ... Respondents.

WITH

**WRIT PETITION NO. 5291 OF 2006.**

Adarsh Nagrik Seva Samitee
and another. ... Petitioners.

V/s.

Mr.Yogendra Pratap Singh and
others. ... Respondents.

Sureshkumar J. Panickar for the petitioners.

M.S.Lagu for respondent No.1.

Ms.V.S.Mhaispurkar, AGP for the State.

R.S.Apte for respondent No.3

**CORAM: V.C.DAGA, J.**

**DATED: 25th September 2006.**

**P.C.:**

. At this stage, presence of respondent No.3 is not necessary. The respondent No.1 is represented by Mr.R.S.Apte, Advocate. Respondent Nos.2 and 4 are represented by learned AGP.

2. Having heard learned counsel for the rival parties referred to hereinabove, all parties agree that the impugned order be set aside without examining merits or demerits thereof and matter be remitted back to the School Tribunal for consideration afresh and decide the same on its own merits on the basis of the material available on record.

3. Considering the joint prayer made by the rival parties, impugned order is set aside. Matter is remitted back to the School Tribunal for consideration afresh taking into account rival contentions. The School Tribunal is expected to decide the same on its own merits on the basis of material available on record as expeditiously as possible, at any rate, within four months from the date of receipt of copy of this order. All rival contentions are kept open.

4. Both petitions are disposed of in terms of this order with no order as to costs.

**(V.C.DAGA, J.)**